

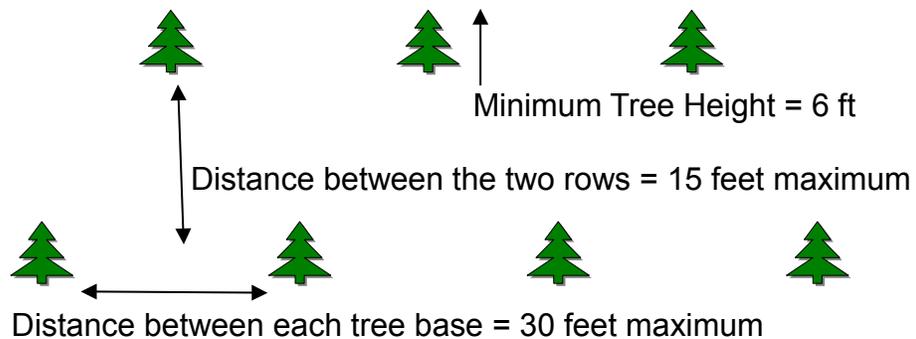
ARTICLE IX – LANDSCAPE and LANDUSE BUFFER REGULATIONS

Section 900 Screening/Buffering Requirements

1.) Where Required

Newly established or newly expanding commercial or industrial where such uses abuts in the rear or on the sides either directly or across an alley of any residential and/or agricultural district shall provide within the commercial or industrial property along that adjacent property line, a properly maintained dense hedge or tree planting in a double row staggered at a minimum height of 6 feet, or other suitable landscape device such as a solid wall or fence at least eight (8) feet high as approved by the Planning & Zoning Commission to visually screen the commercial or industrial area from such adjacent residential and/or agricultural areas. Failure to provide or maintain such planting buffer shall constitute a violation of this ordinance.

See Example below:



In addition to the requirements above, where residential use abuts an arterial or collector roadway without access or with limited access thereto (no driveways) then a 10 foot wide buffer/landscape area shall be provided along all adjoining property lines. In that buffer area 1 tree shall be provided every 40 feet of lineal boundary plus a continuous 6 ft. high planting, hedge or 6 ft. high fence, wall or earth mound along the common boundary. This landscaping/buffering is to be provided and maintained in such a manner as to screen the residential activities from sight of the roadway. Failure to provide or maintain such planting buffer shall constitute a violation of this ordinance.

2.) Responsibility of the Developer/Owner

It shall be the responsibility of the owner and/or developer of land as described above to submit appropriate plans documenting compliance with screening/buffering requirements. All plant materials provided shall be of a species and condition to be hearty and survive in Kentucky. All screening and buffering measures installed per

this section shall be maintained and function as required by this section (for example: providing the necessary buffer). In addition, all landscaping materials shall be installed in a sound, workmanship-like manner, and according to accepted, good construction and planting procedures. Any landscape material which fails to meet the minimum requirements of this Article at the time of installation shall be removed and replaced with acceptable materials. The person in charge of or in control of the property whether as owner, lessee, tenant, occupant, or otherwise shall be responsible for the continued proper maintenance of all landscaping materials, and shall keep them in a proper, neat, and orderly appearance, free from refuse and debris, at all times. All unhealthy or dead plant material shall be replaced within one year, or by the next planting period, whichever comes first; while other defective landscape material shall be replaced or repaired within three months. Topping trees or the severe cutting of limbs to stubs larger than three (3) inches in diameter within the tree crown to such a degree as to remove the normal canopy shall not be considered proper or permitted for the maintenance of trees as required by this Article. Failure to provide or maintain such planting buffer shall constitute a violation of this ordinance.

3.) Waivers

In such individual situations where, by reason of exceptional topographic, dimensional, shape or other special conditions of the site, the enforcement of these ordinances would create an undue hardship on the applicant, that applicant may appeal to the Planning Commission for relief from specific provisions.